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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA,

7  
8 Plaintiff,

9 v.

10 JORGE ARMANDO HERNANDEZ-  
11 VERA,

12 Defendant.  
13  
14

No. 2:17-CR-00101-WFN-9

ORDER ON MOTION FOR  
RECONSIDERATION

**MOTIONS DENIED**  
**(ECF No. 550, 551)**

15 At Defendant's October 13, 2017, motion hearing, Defendant was present, in  
16 custody, with counsel Tim D. Trageser, and was assisted by federally-certified  
17 interpreter Bjelava Ana Rump. Assistant U.S. Attorney Scott T. Jones appeared for  
18 the United States. Both sides presented argument.

19 Defendant is in custody pursuant to an Order of Detention entered by Judge  
20 Dimke, ECF No. 490, after a detention hearing held August 7, 2017.

21 The Court has considered Defendant's Motions for Reconsideration, ECF  
22 No. 550, 551, Judge Dimke's original detention order, and the argument of  
23 counsel.

24 Defendant argues that new and material information relating to a proposed  
25 release address and Defendant's ties to the community has been discovered,  
26 warranting his release.

27 Under 18 U.S.C. § 3142(f)(1)(B), a detention hearing may reopened if the  
28 judicial officer finds that information exists that was "not known to the movant at

1 the time of the hearing and that has a material bearing on the issue [of] whether  
2 there are conditions of release that will reasonably assure the appearance of such  
3 person as required and the safety of any other person and the community.”

4 The information this Court is urged to regard as new and material was  
5 available in the pretrial services report prepared for Judge Dimke prior to the  
6 original detention hearing of August 7, 2017. See ECF No. 487. That pretrial  
7 services report included both the proposed release address, and a detailed  
8 description of Defendant’s employment and residential history in this district.

9 Based on the information before it, this Court cannot find that the  
10 information regarding Defendant’s proposed release address, presented at this  
11 second hearing, is “not known to movant at the time of the pervious hearing” as  
12 required by 18 U.S.C. § 3142(f)(1)(B). Accordingly, Defendant’s motions for  
13 release, **ECF No. 550, 551**, are **DENIED**.

14 Defendant is to remain in the custody of the U.S. Marshal pursuant to the  
15 original detention order at ECF No. 490.

16 **IT IS SO ORDERED.**

17 DATED October 17, 2017.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE